

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC, and Bernard L. Madoff,

Plaintiff,

v.

CRÉDIT AGRICOLE CORPORATE AND
INVESTMENT BANK d/b/a CRÉDIT
AGRICOLE PRIVATE BANKING MIAMI,
f/k/a CALYONS S.A. d/b/a CRÉDIT
AGRICOLE MIAMI PRIVATE BANK
SUCCESSOR IN INTEREST TO CREDIT
LYONNAIS S.A.,

Defendants.

Adv. Pro. No. 12-01670 (CGM)

ORDER DENYING DEFENDANT'S MOTION TO DISMISS

Defendant Crédit Agricole Corporate and Investment Bank d/b/a Crédit Agricole Private Banking Miami (“Defendant”) filed a motion to dismiss the Complaint under Federal Rules of Civil Procedure 12(b)(2), and 12(b)(6), made applicable to these proceedings by Federal Bankruptcy Rules of Procedure 7012 [Docket No. 62] (the “Motion”). The parties stipulated to rest on their papers and waive oral argument on the Motion [Docket No. 77]. The Court has considered the Motion, the papers submitted in support of and in opposition to the Motion, and the Complaint. The Court issued a memorandum decision regarding the Motion (the “Decision”) [Docket No. 82]. Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to dismiss the Complaint is **DENIED**.
2. The deadline for Defendant to file an answer to the Complaint is April 19, 2023.
3. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: February 21, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge